

1 Ford Greene  
California State Bar No. 107601  
2 HUB LAW OFFICES  
711 Sir Francis Drake Boulevard  
3 San Anselmo, California 94960-1949  
Telephone: 415.258.0360  
4 Telecopier: 415.456.5318

5 Attorney for Defendants  
GERALD ARMSTRONG and THE  
6 GERALD ARMSTRONG CORPORATION

**FILED**

**JAN 19 1995**

HOWARD HANSON  
MARIN COUNTY CLERK  
J. STEELE Der

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
9 FOR THE COUNTY OF MARIN

10 CHURCH OF SCIENTOLOGY INTERNATIONAL,) )  
11 a California not-for-profit ) )  
religious corporation, ) )  
12 ) )  
Plaintiff, ) )  
13 ) )  
vs. ) )  
14 ) )  
GERALD ARMSTRONG; MICHAEL WALTON; ) )  
15 THE GERALD ARMSTRONG CORPORATION ) )  
a California for-profit ) )  
16 corporation; DOES 1 through 100, ) )  
inclusive, ) )  
17 ) )  
Defendants. ) )  
18 ) )  
19 ) )

No. 157 680

**ARMSTRONG'S SUPPLEMENTAL  
DECLARATION IN OPPOSITION  
TO SCIENTOLOGY'S MOTION  
FOR SUMMARY ADJUDICATION  
OF THE FOURTH, SIXTH AND  
ELEVENTH CAUSES OF ACTION  
OF SECOND AMENDED  
COMPLAINT**

Date: 1/27/95  
Time: 9:00 a.m.  
Dept: One  
Trial Date: May 18, 1995

**RECEIVED**

**JAN 19 1995**

**HUB LAW OFFICES**

**COPY**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

DECLARATION OF GERALD ARMSTRONG

I, Gerald Armstrong, declare:

1. I am making this declaration as a supplement to my memorandum and supporting documents filed January 13, 1995 in opposition to Scientology's pending motion for summary adjudication.

2. It was clear to me at the time of the settlement, and has become even clearer with the passage of time and the proliferation of litigation of the issue ever since then that the "settlement agreement's" non-disclosure condition, an aspect of which is the liquidated damages penalty, is impossible and legally unenforceable. Many of the legal reasons, some of which I understood at the time, and some of which developed over the years since December, 1986, my attorney Ford Greene has dealt with in the opposition. I am filing this supplemental declaration because I believe what I have to say herein concerns and underlies all aspects of this litigation and should be said.

3. Beyond and encompassing all reasons, the non-disclosure condition is impossible and legally unenforceable because no agency other than God can enforce it, He has not done so, and nothing He says indicates that He will. It is inarguable that potentially what I have to say, as with everyone else, which Scientology seeks to silence in me and others, are God's words. For that reason, beyond and encompassing the legal defense of that reason, I cannot by Scientology be silenced. There is, I believe, and pursuant to God's Word, a better chance for my words to be His because I ask that they be.



1           4.     Scientology preaches to those who obey its orders, among  
2 which number I was counted for many years, that God does not  
3 exist, and that what should be sought, studied, sold and bought  
4 for salvation, or "survival," is its mental "technology,"  
5 "auditing." Appended hereto as Exhibit A are two copies of  
6 Scientology's "OT III materials," both of which I studied while  
7 inside the organization. One is handwritten by L. Ron Hubbard and  
8 the other is typed from the handwritten original. They are part  
9 of a larger body of writings called the "Upper Level" materials,  
10 which are part of the whole body of L. Ron Hubbard's "technical"  
11 writings. In the OT III materials, which are a central part of  
12 Scientology's "technology," Hubbard states that God is an  
13 "implant," (Ex. A at Bates-stamped pages 700681 and 700694) which  
14 he defines as "a painful and forceful means of overwhelming a  
15 being with artificial purpose or false concepts in a malicious  
16 attempt to control and suppress him." This definition is provided  
17 in Scientology's "Technical Dictionary," the relevant pages from  
18 which are appended hereto as Exhibit B. The concept that God is an  
19 "implant" is consistent with everything else I studied and the way  
20 of thinking and the way of life ordered and enforced by the  
21 organization while I was inside. Anyone who professed a belief in  
22 God was, inside Scientology, considered and dealt with as if he  
23 or she was "psychotic."

24           5.     Appended hereto as Exhibit C is a declaration executed  
25 October 27, 1994 by Michael Rinder, director of plaintiff  
26 Scientology organization herein, and filed in the case of  
27 Scientology v. Steven Fishman & Uwe Geertz, US District Court for  
28



1 the Central District of California No. 91-6426-HLH (Tx). Mr.  
2 Rinder's declaration concerns "settlement" meetings he and fellow  
3 Scientology director Michael Sutter had with former organization  
4 executives Vaughn and Stacy Young. Mr. Rinder accuses me of being  
5 psychotic because I converse with God. Ex. C, at 11:2-12. After  
6 I received the declaration about a month ago I called Mr. Rinder,  
7 and during our conversation he confirmed that what he meant was  
8 that he considers that I am psychotic because I communicate with  
9 God. Declarations by the Youngs providing their statement of  
10 their meetings with Rinder and Sutter in response to the Rinder  
11 declaration are appended hereto as Exhibits D and E. Stacy's  
12 response to Rinder's charge that I am psychotic because I  
13 communicate with God is at Ex. E, ¶ 33.

14 6. Theologically, Scientology, as it is now practiced, is  
15 idolatry. Appended hereto as Exhibit F is a page from Webster's  
16 Third New International Dictionary of the English Language  
17 Unabridged which defines idolatry as: "the giving of absolute  
18 religious devotion and ultimate trust to something that is not  
19 God." Non-idolatry, that is to say, religion, says, believe in  
20 God, seek God, trust God, look to God for understanding, serve  
21 God, ask Him for wisdom, courage, and guidance, and do His Will.  
22 Scientology says believe L. Ron Hubbard, study his technology,  
23 serve the organization, and do its will. Within and under this  
24 country's Constitution it is legally ridiculous that anyone free  
25 to practice religion could not be adverse to, speak out  
26 concerning, nor assist those adverse to, what is adverse to  
27 religion - idolatry.

28



1       7. Historically, Scientology is the product of the  
2 cleverness of a man in opposition to the Will of God. In that it  
3 is nothing new under the sun; yet even man's cleverness will be  
4 used by God for His Purposes. This has happened with  
5 Scientology's clever lawyers' clever "settlement agreement." I  
6 have done nothing but be willing to be guided by God as He  
7 unweaves the web Scientology's lawyers and leaders have woven, and  
8 in which they have, by seeking to ensnare others, ensnared  
9 themselves. It is wisdom as ancient as the silliness that gave  
10 rise to its need that he who uses fair game becomes fair game.  
11 God uses me to free the Scientologists by being free and speaking  
12 freely. In that I am a Prophet to Scientology (PtS), for God  
13 never stops bringing His Word to everyone, even those who in their  
14 cleverness deny His Existence, and surely those they've snared and  
15 oppressed.

16       8. Scientology's creed, a copy of which is appended hereto  
17 as Exhibit G, this edition published in 1992 in Scientology's book  
18 What is Scientology?, states:

19       "We of the Church believe:

20       That all men of whatever race, color or creed were  
21       created with equal rights;

22       That all men have inalienable rights to their own  
23       religious practices and their performance;

24       That all men have inalienable rights to their own lives;

25       That all men have inalienable rights to their sanity;

26       That all men have inalienable rights to their own  
27       defense;

28



1 That all men have inalienable rights to conceive,  
2 choose, assist or support their own organizations,  
3 churches and governments;

4 That all men have inalienable rights to think freely, to  
5 talk freely, to write freely their own opinions and to  
6 counter or utter or write upon the opinions of others;  
7 ....

8 And that no agency less than God has the power to  
9 suspend or set aside these rights, overtly or covertly."

10 The individuals who control Scientology and its litigation seek by  
11 the "settlement agreement," by the power of our courts, and by  
12 extrajudicial means, to deny me, and others, each of the  
13 "inalienable rights" listed above. I do not seek to deny anyone  
14 any of those rights. Who then is the Scientologist? Can any  
15 court of man's laws prevent me from so practicing this religion or  
16 opposing those who suppress it?

17 9. Plaintiff Scientology organization herein includes this  
18 creed as Article IV in its By-Laws, a copy of the relevant pages  
19 from which are appended hereto as Exhibit H. These By-Laws were  
20 authenticated by Scientology Secretary Lynn Farny at his  
21 deposition on July 12, 1994. Scientology's preamble to its creed  
22 in its By-Laws states:

23 "The Church subscribes, and its object is and  
24 purposes are that all Mankind may subscribe to and  
25 practice the following Creed:

26 .... Ex. H, pp. 6-8.

27 10. One of the most quoted and revered writings of  
28



1 Scientology is Hubbard Communications Policy Letter of 7 February,  
2 1965 "Keeping Scientology Working," a copy of which is appended  
3 hereto as Exhibit I. At page 6 is the statement by L. Ron  
4 Hubbard:

5 "The whole agonized future of this planet, every  
6 Man, Woman and Child on it, and your own destiny for the  
7 next endless trillions of years depend on what you do  
8 here and now with and in Scientology.

9 This is a deadly serious activity. And if we miss  
10 getting out of the trap now, we may never again have  
11 another chance."

12 This is what every Scientologist is required to believe. Can it  
13 be any different for me, and can this country's courts abet those  
14 who would suppress Scientologists in preventing me from doing with  
15 and in Scientology what is necessary to get them and their trapped  
16 adherents out of "the trap?" Both by God's Will and by  
17 Scientology's own writings and logic I will speak and act freely.

18 11. My decision to help Vicki and Richard Aznaran in 1991  
19 (Scientology's fourth cause of action), and David Mayo in 1992  
20 (Scientology's eleventh cause of action), flowed from the same  
21 Source as my decision to help Ford Greene in his battle against  
22 the suppression of Scientology, and the decision to speak out  
23 against suppression if such speaking is God's Will. In a  
24 declaration, a copy of which is appended hereto as Exhibit J,  
25 which I wrote and executed July 19, 1991 to assist attorney Joseph  
26 A. Yanny in a lawsuit by Scientology falsely charging him with  
27 representing me in my own Scientology litigation, I stated what I

28



1 understood at that time to be our God-given nature to help.

2 "But more than a desire to protect myself or right the  
3 organization's unjust acts towards me, however, I helped  
4 Mr. Yanny for the simple reason that he asked. I will  
5 do the same for anyone. The organization is aware of  
6 this fact because it received my letter of June 21,  
7 1991....It is not only the right of all men to respond  
8 to requests for help, it is our essence. If I was  
9 induced, therefore, to help Mr. Yanny, or anyone else,  
10 it is our Creator Who induced me.

11 .....

12 I know that I am sustained completely by the Great  
13 Coordinator Who sends to me whomever He wants me to  
14 help. I therefore cannot be induced by money or whatever  
15 anyone can offer me." Ex. J, pp.7-9.

16 God is our help, and He created us in His image. Can we,  
17 therefore, be other than help. Appended hereto as Exhibit K is a  
18 copy of my letter of June 21, 1991 to Scientology attorney Eric  
19 Lieberman referred to above.

20 12. I am aware that Judge Sohigian's injunction of May 28,  
21 1992 prohibits me from helping a certain special class of people.  
22 Scientology has repeatedly tried to have me jailed for contempt  
23 for providing what it charged was such "help," so my understanding  
24 of the class the Sohigian injunction prohibits me from help is  
25 very clear. The order of Los Angeles Superior Court Judge Diane  
26 Wayne dated July 28, 1994 discharging all of Scientology's  
27 contempts against me is appended hereto as Exhibit L.

28



1 Scientology's actual purpose in having me jailed is shown in  
2 another "Upper Level" "scripture," Hubbard Communications Office  
3 Bulletin October 1, 1969 "Why Thetans Mock Up," a copy of which is  
4 appended hereto as Exhibit M. Hubbard writes:

5 "Jail denies a thetan (Scientology term for  
6 "being") all spaces except where he has been placed and  
7 note that thetans are made very miserable in jail.  
8 Jailing is a sure way to confirm criminals and also t  
9 make them crazy as well." Ex. M at p. 2.

10 It is indicative of its nature that Scientology sought to have me  
11 jailed not for perjury or some other crime, but for speaking the  
12 truth and helping my fellows. Thankfully, since Judge Sohigian's  
13 order I have not been called upon to help any of the special class  
14 which his order prohibits me from helping. Nevertheless, the  
15 Sohigian injunction is itself a violation of a higher order, God's  
16 Injunction to love each other, and surely to help those oppressed.  
17 Rev. Martin Luther King's words, quoted in today's San Francisco  
18 Chronicle, are fitting for the instant Scientology battle:

19 "Oppressed people cannot remain oppressed forever." Ex N.  
20 If we are jailed for helping the little ones, the oppressed, or  
21 even if we are killed by the oppressors, God's Will be done.

22 I declare under the penalty of perjury under the laws of the  
23 State of California that the foregoing is true and correct.

24 Executed at San Anselmo, California, on January 16, 1995.

25  
26  
27  
28  


GERALD ARMSTRONG



PROOF OF SERVICE

I am employed in the county of Marin, State of California. I am over the age of eighteen years and not a party to the above entitled action. My business address is 711 Sir Francis Drake Boulevard, San Anselmo, California 94960. I served the foregoing document(s) described as:

**ARMSTRONG'S SUPPLEMENTAL DECLARATION IN OPPOSITION TO SCIENTOLOGY'S MOTION FOR SUMMARY ADJUDICATION OF THE FOURTH, SIXTH AND ELEVENTH CAUSES OF ACTION OF SECOND AMENDED COMPLAINT; ARMSTRONG'S EVIDENCE IN SUPPORT OF SUPPLEMENTAL DECLARATION**

on the following persons on the date set forth below, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid to be placed in the United States Mail at San Anselmo, California:

Laurie J. Bartilson, Esquire  
BOWLES & MOXON  
6255 Sunset Boulevard, Suite 2000  
Los Angeles, CA 90028

MAIL  
DECLARATION BY FAX

Michael L. Walton, Esquire  
P.O. Box 751  
San Anselmo, CA 94979

MAIL

- (By Mail) I caused such envelope with postage thereon fully prepaid to be placed in the United States Mail at San Anselmo, California.
- (Personal) I caused said papers to be personally served on the office of counsel.
- (State) I declare under the penalty of perjury under the laws of the State of California that the above is true and correct.

DATED: January 19, 1995

---